

**REMARKS**

Applicants thank the Examiner for indicating that claims 9, 14 and 21 contain allowable subject matter while being objected to as being dependent upon a rejected base claim. Independent claim 1 has been amended to recite the limitations of claim 14 which the Examiner has indicated to be allowable, and claim 14 has been canceled. Accordingly, claim 1 is now allowable. Claims 9 and 21 depend from claim 1. Accordingly, claims 9 and 21 no longer depend from a rejected base claim, and applicants respectfully request the Examiner to withdraw this objection.

Applicants thank the Examiner for indicating that claims 24 and 25 are allowable.

Claim 8 stands rejected under 35 USC 112, second paragraph, as being indefinite. In particular, the Examiner states that the expression "with said Y or Z" is vague because the formula XN of claim 1 has no Y or Z value. Applicants have amended claim 8 to recite that the nitride has either the general formula  $XN:Y$  or  $XN:Y,Z$ . Accordingly, the claim language is no longer vague, and applicants respectfully request the Examiner to withdraw this rejection.

Claims 1, 11, 13, 15 and 17-20 stand rejected under 35 USC 103(e) as being anticipated by D'Evelyn. As stated above, claim 1 has been amended to include the limitations of claim 14 which the Examiner has indicated to be allowable. Thus, claim 1 is now allowable. Claims 11, 13, 15 and 17-20 are also allowable at least due to their dependencies on claim 1. Accordingly, this rejection should be withdrawn.

Claims 1 and 12 stand rejected under 35 USC 102(b) as being anticipated by Motoki. Claims 1 and 16 stand rejected under 35 USC 102(b) as being anticipated by Suda. Claims 1, 18-20, 22 and 23 stand rejected under 35 USC 102(b) as being anticipated by Muller. Claim 10 stands rejected under 35 USC 103(a) as obvious over D'Evelyn in view of Dwilinski ("Ammono Method of GaN and AlN Production").

As stated above, claim 1 now includes the limitations of claim 14 which the Examiner has indicated to be allowable. Claims 10, 12, 16, 18-20, 22 and 23 also include the limitations by their dependencies on claim 1. Accordingly, the above rejections should be withdrawn.

Applicants have added claim 26. Support for this claim can be found in original claim 1.

In view of the above, each of the claims in this application is in condition for allowance. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 204552033800**.

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Respectfully submitted,

By *S. Laura Chung*  
S. Laura Chung  
Registration No.: 59,875  
MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 400  
McLean, Virginia 22102  
Telephone: (703) 760-7312  
Telefacsimile: (703) 760-7777